

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

BENJAMIN MORLEY,)
Plaintiff,)
)
v.)
)
STATE OF VERMONT;)
GOVERNOR'S WORKFORCE AND EQUITY)
AND DIVERSITY COUNCIL;)
VERMONT DEPT. OF HUMAN RESOURCES;)
VERMONT DEPT. OF AGING AND)
INDEPENDENT LIVING; VERMONT)
DIVISION OF VOCATIONAL)
REHABILITATION;)
ALLISON LAND, in her individual and official)
capacity;)
HIBBARD DOE, in his individual and official)
capacity;)
ELIZABETH HARRINGTON, in her individual)
and official capacity;)
DIANE DALMASSE, in her individual and)
official capacity;)
KAREN BLAKE-ORNE, in her individual and)
official capacity; and)
HEATHER BATALION, in her individual and)
official capacity;)
Defendants.)

Case No. 5:21-cv-272

DECLARATION OF HIBBARD DOE IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

I, Hibbard Doe, hereby declare as follows:

1. I am personally familiar with the facts set forth in this Declaration. If called to testify, I could and would testify competently as to the facts set forth herein.
2. I am currently a Field Services Manager for the Vermont Division of Vocational Rehabilitation. Before being promoted to that position, I was a Regional Manager for DVR with responsibility for the DVR office in Newport, Vermont.

3. In my former capacity as a Regional Manager for DVR, I met with Plaintiff to conduct a performance evaluation on April 20, 2021. During the evaluation, Plaintiff was given information about employee feedback gathered regarding his performance. The feedback was derived from a survey, the results of which were sent to me by email on March 25, 2021.

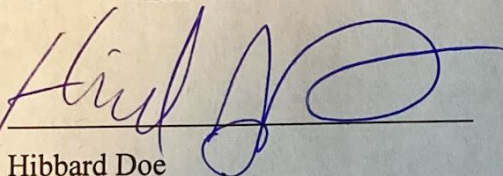
4. The survey results were sent to me in PDF form. The version of the results I received includes the date and time of some, but not all, of the survey responses. The listed dates range from late January to mid-March, 2021.

5. The survey results indicate that more than half of respondents answered "occasionally" or "no" when asked whether Plaintiff:

- a. Communicates well with peers and partners
- b. Provides feedback to peers in an effective manner
- c. Provides leadership to guide teams and individuals to work more effectively, and
- d. Contributes to a positive team environment.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 22 day of December, 2021 at UNSTEADT, Vermont.


Hibbard Doe